



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0234

Introduced 2/7/2007, by Sen. Dale A. Righter

#### SYNOPSIS AS INTRODUCED:

405 ILCS 5/1-104.5 new  
405 ILCS 5/1-119

from Ch. 91 1/2, par. 1-119

Amends the Mental Health and Developmental Disabilities Code. Provides that "person subject to involuntary admission" includes (i) a person with mental illness and who because of his or her illness is reasonably expected to engage in dangerous conduct (instead of reasonably expected to inflict serious physical harm upon himself or herself or another in the near future) and (ii) a person with mental illness who, because of the nature of his or her illness, is unable to understand his or her need for treatment and who, if not treated, is reasonably expected to suffer or continue to suffer mental deterioration or emotional deterioration, or both, to the point that the person is reasonably expected to engage in dangerous conduct. Defines "dangerous conduct" as threatening behavior or conduct that places another individual in reasonable expectation of being harmed, or a person's inability to provide, without the assistance of family or outside help, for his or her basic physical needs so as to guard himself or herself from serious harm.

LRB095 07027 DRJ 27149 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental  
5 Disabilities Code is amended by changing Section 1-119 and by  
6 adding Section 1-104.5 as follows:

7 (405 ILCS 5/1-104.5 new)

8 Sec. 1-104.5. "Dangerous conduct" means threatening  
9 behavior or conduct that places another individual in  
10 reasonable expectation of being harmed, or a person's inability  
11 to provide, without the assistance of family or outside help,  
12 for his or her basic physical needs so as to guard himself or  
13 herself from serious harm.

14 (405 ILCS 5/1-119) (from Ch. 91 1/2, par. 1-119)

15 Sec. 1-119. "Person subject to involuntary admission"  
16 means:

17 (1) A person with mental illness and who because of his  
18 or her illness is reasonably expected to engage in  
19 dangerous conduct ~~inflict serious physical harm upon~~  
20 ~~himself or herself or another in the near future~~ which may  
21 include threatening behavior or conduct that places that  
22 person or another individual in reasonable expectation of

1 being harmed; ~~or~~

2 (2) A person with mental illness and who because of his  
3 or her illness is unable to provide for his or her basic  
4 physical needs so as to guard himself or herself from  
5 serious harm without the assistance of family or outside  
6 help; or -

7 (3) A person with mental illness who, because of the  
8 nature of his or her illness, is unable to understand his  
9 or her need for treatment and who, if not treated, is  
10 reasonably expected to suffer or continue to suffer mental  
11 deterioration or emotional deterioration, or both, to the  
12 point that the person is reasonably expected to engage in  
13 dangerous conduct.

14 In determining whether a person meets the criteria  
15 specified in paragraph (1) or (2), the court may consider  
16 evidence of the person's repeated past pattern of specific  
17 behavior and actions related to the person's illness.

18 (Source: P.A. 93-573, eff. 8-21-03.)